

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed September 5, 2007. This Reply encompasses a bona fide attempt to overcome the rejections raised by the Examiner and presents amendments as well as reasons why Applicant believes that the claimed invention, as amended, is novel and nonobvious over the applied prior art. Accordingly, Applicant respectfully requests reconsideration and favorable action in this case.

Claims Status

Claims 1-25 are pending. Claims 1, 4-6, 14, 17, and 21-23 are amended herein. Support for the amendments presented herein can be found in the Specification as originally filed, particularly paragraphs 29, 35, 38, 41, 43, 46, 52 and 88. No new matter is introduced. No claims are cancelled or newly added. Thus, Claims 1-25 remain pending.

Interview Summary

Pursuant to Applicant Initiated Interview Request submitted November 2, 2007, a telephonic interview was conducted November 14, 2007 between Examiner Dung Chau, Primary Examiner Leslie Wong, Attorney Katharina Schuster, and Agent Kevin Gust. Examiner Wong orally agreed that the proposed amendment to Claim 1 would overcome the cited prior art. Applicant appreciates the time and effort taken by Examiners Chau and Wong to review Applicant's present application and discuss the pending claims and the cited prior art.

Claim Objections

Claims 22, 23 and 24 were objected to by the Examiner. Applicant has re-numbered the Claims. Accordingly, withdrawal of this objection is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0111513 ("Shen"). The rejection is respectfully traversed. Independent claim 14 recites limitations similar to those recited in claim 1. Accordingly, traversal to the rejection will be collectively discussed herein with respect to claim 1.

M.P.E.P. § 2131 states, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1987).

In an effort to advance prosecution, claim 1 is amended herein to make explicit that which was implicit. Independent claim 1, as amended, recites:

A computer program product comprising a computer program stored on a computer readable storage medium, wherein said computer program comprises instructions executable by a processor to:
maintain a first component having associated properties for representing in a data model a first entity in a system being modeled, wherein the first component is arbitrarily defined based on the data model format and the system;
maintain a second component having associated properties for representing a second entity in the system;
maintain relationship discovery rules for analyzing relationships between components in the data model;
associate a relationship discovery rule with the first component;
apply the relationship discovery rule to the second component; and
establish, delete, or update a relationship between the first component and the second component according to the relationship discovery rule, wherein the relationship represents an association between the first entity and the second entity in the system.

Thus, in embodiments as claimed in claim 1, entities in a system may be represented in a data model by components having associated properties. In one embodiment, each component may be arbitrarily defined based on the data model format and the system being modeled. See Specification, para. 35. Relationship

discovery rules may be maintained for analyzing relationships between components in the data model. See Specification, *para.* 38. Each component may have an associated relationship discovery rule. See Specification, *para.* 28-29. A relationship discovery rule associated with a particular component may be applied to another component, and a relationship between these components may be established, deleted, or updated according to the relationship discovery rule. See Specification, *para.* 88.

In contrast, Shen describes policies related to network quality of service of telecommunication resources. Shen describes the users as human operators. See Shen, paragraphs [0032]. Shen does not describe establishing relationships between components of a data model. Rather, Shen seems to be concerned with how to adhere to priorities as defined by the users. Shen describes using these priorities to decrease the load on one or more workstations, which may be accomplished, for example, by decreasing the amount of event reporting information automatically sent from the software application to the receiver component. See Shen, paragraphs [0052] – [0053]. Shen may also decrease the load by decreasing one or more of the operation, administration, and maintenance activities of the workstation. See Shen, paragraph [0055]. The load sharing of Shen does not contain or rely on a relationship between the workstations. Thus, Applicant respectfully submits that Shen fails to describe, expressly or inherently, the limitations of claim 1. Claim 14 recites limitations similar to those of claim 1 and thus is submitted to be also patentable over Shen under 35 U.S.C. § 102(e).

With respect to claims 2-13 and 15-25, Applicant submits that they are allowable based at least on their dependency from independent claims 1 and 14. Accordingly, Applicant respectfully requests the 35 U.S.C. § 102(e) rejection be withdrawn.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include any acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-25. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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Date: November 15, 2007

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